

12-12-03

RCE/2700

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American inventors Protection Act of 1999 (AIPA).

Application Number	09/614,365
Filing Date	July 12, 2000
First Named Inventor	Arthur Zavalkovsky
Group Art Unit	2154
Examiner Name	El Hady, Nabil M.
Attorney Docket Number	50325-0124

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000) which establish the RCE practice.

**RECEIVED****1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Transmittal Form with Fee Calculation

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any deficiency of fee, or credit any overpayments, to Deposit Account No. 50-1302
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 1366.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

12/15/2003 YPOLITE1 00000064 09614365  
01 FC:1801 770.00 OF  
02 FC:1202 552.00 OF  
03 FC:1201 344.00 OF

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	John D. Henkhaus	Registration No. (Attorney/Agent)	42,656
Signature	<i>John D. Henkhaus</i>	Date	December 10, 2003

**EXPRESS MAIL CERTIFICATE OF MAILING**

"Express Mail" mailing label number: EV323351048US

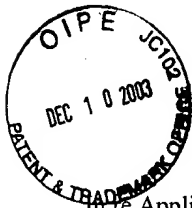
Date of Deposit: December 10, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Teresa Austin

(Typed or printed name of person mailing paper or fee)

*Teresa Austin*  
(Signature of person mailing paper or fee)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

DEC 16 2003

Technology Center 2100

In re Application of:

Arthur Zavalkovsky

Serial No.: 09/614,365

Filing Date: July 12, 2000

) Confirmation No. 2206

)

)

)

)

)

)

)

Examiner: EL HADY, NABIL M.

Group Art Unit: 2154

For: BASIC COMMAND REPRESENTATION OF QUALITY OF SERVICE POLICIES

Mail Stop REC  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL FORM WITH FEE CALCULATION

Dear Sir:

Transmitted herewith is an Request for Continued Examination (RCE) Transmittal, Amendment, and Information Disclosure Statement with PTO form 1449 in the above-identified application.

- ☒ Additional fee is required.
- ☐ Also attached: \_\_\_\_ Figures
- ☒ Postcard.

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	36	22	14	\$18.00 =	\$ 252.00
Independent Claims	9	5	4	\$86.00 =	\$ 344.00
Multiple claims newly presented					\$ 0.00
Fee for RCE					\$ 770.00
TOTAL FEE DUE					\$1366.00

- ☒ Enclosed is a check in the amount of \$1366.00. Please charge any deficiency of fee to Deposit Account No. 50-1302. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 50-1302, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,  
HICKMAN PALERMO TRUONG & BECKER LLP

By: John D. Henkhaus  
John D. Henkhaus  
Registration No. 42,656

1600 Willow Street  
San Jose, CA 95125  
(408) 414-1080  
**Date: December 10, 2003**  
Facsimile: (408) 414-1076

<b>EXPRESS MAIL CERTIFICATE OF MAILING</b>	
"Express Mail" mailing label number: EV323351048US	Date of Deposit: December 10, 2003
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>Teresa Austin</u> (Typed or printed name of person mailing paper or fee)	<u>Teresa Austin</u> (Signature of person mailing paper or fee)